

The Judiciary,
State of Hawai‘i

POS RFP

No. J05100

PURCHASE OF
SERVICES FOR
FISCAL BIENNIUM
2005 - 2007

October, 2004



Office of the Administrative Director — Fiscal Office, Support Services Division

THE JUDICIARY • STATE OF HAWAII • 1111 ALAKEA STREET, 6TH FLOOR • HONOLULU, HAWAII 96813-2807
TELEPHONE (808) 538-5805 • FAX (808) 538-5802

October 12, 2004

To: All Applicants

From: Janell M. Kim, Assistant Fiscal & Support Services Administrator

Subject: Request for Proposals No. J05100
Purchase of Services for Fiscal Biennium 2005 - 2007

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Mediation Services for the fiscal biennium 2005 - 2007. The contract term will be for two (2) years from July 1, 2005 through June 30 2007. Proposal application and contract award procedures shall be in accordance with Chapter 103F, Hawaii Revised Statutes, as amended. Multiple contracts will be awarded under this request for proposals.

Attached is a packet of materials which outlines the requirements for proposal applications. It includes the administrative requirements, service specifications, POS application form, and other information. This RFP is also available on our Judiciary web site at <http://www.courts.state.hi.us> under "General Information; Business with the Judiciary".

Persons or organizations must submit three (3) sets (Orig + 2 copies) of their completed proposals (in hard copy or in PDF format on CD) and they **must be postmarked (by US Postal Service) before midnight on January 12, 2005, or hand delivered by 4:00 p.m., Hawaii Standard Time, January 12, 2005**, to the following address:

The Judiciary, State of Hawaii
Financial Services Division
Contracts and Purchasing Office
Kauikeaouli Hale (District Court Building)
1111 Alakea Street., 6th Floor
Honolulu, Hi 96813-2807

Proposals postmarked or hand delivered after the above date and times will not be considered and will be returned to the applicant.

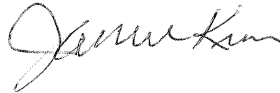
Proposal application and contract award procedures shall be in accordance with Chapter 103F, Hawaii Revised Statutes, as amended. The actual funding of the contract will be based on the proposal applications submitted by the applicants and the services required by the Judiciary. The Administrative Director of the Courts reserves the right and power to award the contract in any manner which he deems to be in the best interest of the Judiciary.

The Judiciary will conduct an orientation meeting on the following date, at the location and times indicated:

November 8, 2004 **Oahu** **Administration Conference Room 10:00 a.m. - 12:00 noon**
Ali`iolani Hale, 2nd Floor
417 So. King St., Honolulu
Contact: Becky Sugawa Ph. 539-4239
Email: becky.h.sugawa@courts.state.hi.us

All prospective applicants are encouraged to attend the orientation and bring their RFP packets with them.

Program questions may be directed to the above contact person. Other questions regarding this Request for Proposals may be directed to Jonathan Wong in the Contracts & Purchasing Office at 808-538-5805, or Email: jonathan.h.wong@courts.state.hi.us.



JANELL KIM

Assistant Fiscal & Support Services Administrator

(Advertisement)
REQUEST FOR PROPOSALS NO. J05100
PURCHASE OF SERVICES FOR
FISCAL BIENNIUM 2005 - 2007

The Judiciary, State of Hawaii, is requesting competitive sealed proposals from qualified applicants to provide Mediation Services for the fiscal biennium 2005 - 2007. The contract term will be for two (2) years from July 1, 2005 through June 30 2007. Proposal application and contract award procedures shall be in accordance with Chapter 103F, Hawaii Revised Statutes, as amended. Multiple contracts will be awarded under this request for proposals.

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 Kauikeaouli Hale (District Court Building)
 1111 Alakea Street., 6th Floor
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Proposals postmarked or hand delivered after the above due date and times will not be considered and will be returned to the applicant.

The Request For Proposal (RFP) documents may be obtained from the above Contracts and Purchasing Office, or from our Judiciary web site at <http://www.courts.state.hi.us> under "General Information; Business with the Judiciary".

The Judiciary will conduct an orientation meeting on the following date, at the location and time indicated:

<u>November 8, 2004</u>	Oahu	Administration Conference Room Ali`iolani Hale, 2 nd Floor 417 So. King St., Honolulu Contact: Becky Sugawa Ph. 539-4239 Email: becky.h.sugawa@courts.state.hi.us	10:00 a.m. - 12:00 noon
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JANELL KIM
 Assistant Fiscal & Support Services Administrator
 The Judiciary, State of Hawaii

(Honolulu Star Bulletin, The Maui News, Hawaii Tribune-Herald, The Garden Isle): October 12, 2004.
 (West Hawaii Today): October 13, 2004

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SECTION ONE

ADMINISTRATIVE OVERVIEW

SECTION ONE - ADMINISTRATIVE OVERVIEW

Applicants are encouraged to read each section of this RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of this RFP.

1.1 Authority

This RFP is issued under the provisions of the Hawaii Revised Statutes, Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of the prospective applicant.

1.2 RFP Organization

This RFP is organized into five sections:

SECTION ONE, *Administrative Overview*--Provides applicants with an overview of the procurement process.

SECTION TWO, *Service Specifications*--Provides applicants with a general description of the tasks to be performed, delineates applicant responsibilities, and defines deliverables (as applicable).

SECTION THREE, *POS Proposal Application*--Describes the required format and content for the proposal application.

SECTION FOUR, *Proposal Evaluation*--Describes how proposals will be evaluated by the Judiciary.

SECTION FIVE, *Attachments* --Provides applicants with information and forms necessary to complete the application.

1.3 Contracting Office

The Contracting Office is responsible for receiving and for the execution of the contract(s) resulting from this RFP. The Contracting Office is:

The Judiciary, State of Hawaii
Fiscal & Support Services
Contracts and Purchasing Office
1111 Alakea Street, 6th Floor
Honolulu, Hi 96813-2807 Phone: (808)538-5805 Fax: (808) 538-5802

1.4 Procurement Timetable

Activity	Scheduled Date
A. Public Notice announcing RFP	October 12, 2004
B. Distribution of RFP	October 12, 2004 - January 12, 2005
C. RFP orientation session	November 8, 2004
D. Closing date for submission of written questions for written responses	4:00 p.m. December 13, 2004
E. Judiciary's response to applicants' written questions	December 28, 2004
F. Discussions with applicants prior to submittal deadline (optional).	October 12, 2004 - January 12, 2005
G. Proposal submittal deadline	4:00 p.m. or Postmarked January 12, 2005
H. Discussions with applicants after to submittal deadline (optional).	January - April 2005
I. Final revised proposals (optional).	January - April, 2005
G. Proposal evaluation period	January - April 2005
H. Provider selection	March - April, 2005
J. Notice of statement of findings and decisions	March - April 2005
K. Contract start date (tentative)	July 1, 2005

1.5 Orientation

Orientations for applicants in reference to the request for proposals will be held on the following dates, at the locations and times indicated:

<u>November 8, 2004</u>	Oahu Administration Conference Room Ali`iolani Hale, 2 nd Floor 417 So. King St., Honolulu Contact: Becky Sugawa Ph. 539-4239 Email: becky.h.sugawa@courts.state.hi.us	10:00 a.m. - 12:00 noon
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Applicants attending the orientation should bring their RFP packets with them.

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted and spontaneous answers provided at the orientation at the Judiciary's discretion. Verbal answers provided at the orientation are only intended as general direction and may not represent the Judiciary's position. Formal official responses will be provided in writing. To ensure a written response from the Judiciary, any questions should be submitted in writing following the close of the orientation, but no later than the

date indicated in Section 1.4, Procurement Timetable, in order to generate a written Judiciary response.

1.6 Submission of Questions

Applicants may submit questions to the RFP Contact Person identified in the Service Specifications in SECTION TWO of this RFP. The deadline for submission of written questions and to receive written responses from the Judiciary to those questions are indicated in Section 1.4, Procurement Timetable.

1.7 Submission of Proposals

1.7.1 Forms/Formats

Forms, with the exception of program specific requirements, may be found on the State Procurement Office website at: www.spo.hawaii.gov, click *Procurement of Health and Human Services* and *For Private Providers*. Please refer to the Proposal Application Checklist (SECTION FIVE, ATTACHMENT A) for the location of program for information on: 1) where to obtain the forms/instructions; 2) additional program specific requirements; and 3) the order in which all components of the application should be assembled and submitted to the Judiciary. Proposals must contain the following components:

- A. **Proposal Application Identification Form (Form SPO-H-200)** - Provides identification of the proposal. Although a hard copy Judiciary Proposal Application Identification Form is included in Attachment B of this RFP, applicants may use the form available (and writeable) on the SPO website.
- B. **Proposal Application Check List** – Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the Judiciary.
- C. **Table of Contents** - A sample table of contents for proposals is located in SECTION FIVE, ATTACHMENT B. This is sample and meant as a guide. The table of contents may vary depending on the RFP.
- D. **Proposal Application (Form SPO-H-200A)** - A sample application showing the format of the application headings is located in SECTION FIVE, ATTACHMENT B. Applicant shall submit comprehensive narratives that addresses all of the issues contained in the Proposal Application Instructions, including a cost proposal/budget if required. (Refer to Section 3 of this RFP)
- E. **Registration Form (SPO-H-100A)** – If applicant is not pre-registered with the State Procurement Office (business status), this form must be submitted with the application. If an applicant is unsure as to their pre-registration status, they may check the State Procurement website at: <http://www.spo.hawaii.gov>, click on *Procurement of Health and Human Services*, and *For Private Providers* and

Provider Lists...The list of Registered Private Providers for Use with the Competitive Method of Procurement or call the State Procurement Office at (808) 587-4706.

- F. **Tax Clearance** - A certified copy of a current valid tax clearance certificate issued by the State of Hawaii, Department of Taxation (DOTAX) and the Internal Revenue Service (IRS) will be required prior to execution of any contract awarded in response to this RFP. The tax clearance application may be obtained from the Department of Taxation website at www.hawaii.gov/tax/tax.html .
- G. **Certifications** - Federal and/or State certifications, as applicable.
- H. **Program Specific Requirements** - Additional program specific requirements are included in SECTION TWO, Service Specifications, and/or SECTION THREE, POS Proposal Application, as applicable.
- I. **Multiple or alternate proposals** - Multiple or alternate proposals shall **not** be accepted unless specifically provided for in SECTION TWO of this RFP. In the event alternate proposals are **not** accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for an award as though it were the only proposal submitted by the applicant.
- J. **Proposal Submittal** - Proposals must be postmarked by USPS or hand delivered by the designated date and time in Section 1.4, Procurement Timetable. Any proposal most-marked or received after the designated date and time shall be rejected. Note that postmarks must be by United States Postal Service or they will be considered hand-delivered and shall be rejected if late.

Proposals on CD - Proposals may be submitted on CD (3 copies of CD) in Adobe's pdf format along with hard copies of the Proposal Application Identification Form (See SECTION FIVE, ATTACHMENT B, Form SPO-H-200). Hard copies (Orig. + 2) of the entire proposal will also be accepted.
- K. **Wages and Labor Law Compliance** - Before a provider enters into a service contract in excess of \$25,000, the provider shall certify that it complies with section 103-55, HRS, Wages, hours, and working conditions of employees of contractors performing services. Section 103-55 HRS may be obtained from the Hawaii State Legislature website at <http://capitol.hawaii.gov/>. Or go directly to: http://www.capitol.hawaii.gov/hrscurrent/Vol02_Ch0046-0115/HRS0103/HRS_0103-0055.htm.
- L. **Confidential Information** - If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing non-disclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

Note that price is not considered confidential and will not be withheld.

1.8 Discussions with Applicants

1.8.1 Prior to Submittal Deadline - Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.

1.8.2 After Proposal Submittal Deadline - Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for an award, but proposals may be accepted without discussions, in accordance with the administrative rules (Section 3-143-403, HAR.).

1.9 Opening of Proposals

Upon receipt of proposal by The Judiciary at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time stamped. All documents so received shall be held in a secure place by the Judiciary and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

1.10 Additional Materials and Documentation

Upon request from the Judiciary, each applicant shall submit any additional materials and documentation reasonably required by the Judiciary in its evaluation of the proposals.

1.11 RFP Amendments

The Judiciary reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

1.12 Final Revised Proposals

The applicant's final revised proposal, *as applicable* to this RFP, must be postmarked or hand delivered by the proposal submittal deadline indicated in Section 1.4 above. Any final revised proposal postmarked or received after the designated date and time shall be rejected. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *Only the section(s) of the proposal that are amended shall be submitted by the applicant, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

1.13 Cancellation of Request for Proposal

The request for proposal may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the Judiciary.

1.14 Costs for Proposal Preparation

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

1.15 Provider Participation in Planning

Provider participation in the Judiciary's efforts to plan for or to purchase health and human services prior to the Judiciary's release of a request for proposals, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with sections 3-142-202, 3-142-203 and 3-143-618 of the Hawaii Administrative Rules for Chapter 103F, HRS.

1.16 Rejection of Proposals

The Judiciary reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons: (Relevant sections of the Hawaii Administrative Rules for Chapter 103F, HRS are parenthesized.)

- A. Rejection for failure to cooperate or deal in good faith. (Section 3-141-201)
- B. Rejection for inadequate accounting system. (Section 3-141-202)
- C. Late proposals. (Section 3-143-603)
- D. Inadequate response to request for proposals. (Section 3-143-609)
- E. Proposal not responsive. (Section 3-143-610 (1))
- F. Applicant not responsible. (Section 3-143-610 (2))

1.17 Notice of Award

A Notice of Award containing a statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Judiciary's Staff Attorney as to form.

No work is to be undertaken by the awardee prior to the contract commencement date. The Judiciary is not liable for any costs incurred prior to the official starting date.

1.18 Protests

1.18.1 Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website indicated on the Proposal Application Checklist. Only the following matters may be protested:

- A. The purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;
- B. The purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- C. The purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the Judiciary.

1.18.2 The Notice of Protest shall be mailed by USPS or hand delivered to the head of the Judiciary purchasing agency conducting the protested procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery Services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

Elizabeth Kent, Director
 Center for Alternative Dispute Resolution
 417 South King Street, Rm 207
 Honolulu, HI 96813

Questions regarding protests may be directed to the applicable procurement officer, identified as the programmatic contact person for the service specifications described in SECTION TWO of this RFP.

1.19 Availability of Funds

The award of a contract and any allowed renewal or extension thereof, are subject to allotments to be made by the Administrative Director of the Courts and subject to the availability of State and/or Federal funds.

1.20 Monitoring and Evaluation

The criteria by which the performance of the contract will be monitored and evaluated are:

- A. Performance/Outcome Measures
- B. Output Measures
- C. Quality of Care/Quality of Services
- D. Financial Management

E. Administrative Requirements

1.21 General and Special Conditions of Contract

The general conditions that will be imposed contractually are attached (See SECTION FIVE, ATTACHMENT C). Special conditions may also be imposed contractually by the Judiciary, as deemed necessary.

1.22 Cost Principles

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under Chapter 103F, HRS, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201, which is available on the State Procurement Office website. Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

END OF SECTION ONE

SECTION TWO

SERVICE
SPECIFICATIONS

SECTION TWO - SERVICE SPECIFICATIONS

2.0.1 Introduction

A. Background

The Judiciary, State of Hawaii, provides support, intervention and/or rehabilitative services to juveniles, adults and families through its Family Courts, Children's Justice Centers, Adult Probation Divisions and Drug Courts in each judicial circuit. **It also provides mediation services through its Center for Alternative Dispute Resolution.** In carrying out their goals for these areas, all circuits utilize community resources on a purchase of services basis.

The following provides the specifications for organizations wishing to provide services to the Judiciary for the State Fiscal Biennium 2005-2007. Upon evaluation and acceptance of proposals, one contract will be negotiated, making services to the Judiciary. The contract term will be for Fiscal years 2006 and 2007 (tentatively, from July 1, 2005 through June 30, 2007).

B. Purpose or Need

The Judiciary purchases services in compliance with statutory mandates and orders from the courts. The greater public purpose for obtaining the services is to: enhance public and victim safety; provide rehabilitative or intervention services to offenders; promote the welfare of families and children by protecting them from physical and psychological harm; and maintain a judicial process that helps to reduce the courts' workload while promoting fairness and prompt action.

Planning activities related to this RFP involved the issuance of requests for information (RFI). Tentative specifications and funding allocations were included with the RFIs, and comments and inputs on aspects of the specifications, such as objectives, target group(s), services and costs, were welcomed. Meetings and discussions were also offered. The views of service recipients and community advocacy organizations were also considered on conditions affecting the achievement of mandated goals. Input was also obtained from funders, including the Legislature and federal agencies.

Note: The following segment contains the program specifications for the requested services.

2.0.2 Description and Location of Services

Service Specification Number	Service Spec. Code	Description of Service	1st Circ. (Oahu)	2nd Circ. (Maui, Molokai, Lanai)	3rd Circ. (Hawaii)	5th Circ. (Kauai)
		Adult Client Services				
		(None)				
		Juvenile Client and Family Services				
		(None)				
		Administrative Director Services - Center for Alternative Dispute Resolution				
2.1	ADRMS	Mediation & Related Dispute Resolution Services	X	X	X	X

**2.1 RFP Title: Center for Alternative Dispute Resolution
ADRMS - Mediation and Related Dispute Resolution Services**

2.1.1 Introduction

A. & B. - (SEE SECTION 2.0.1)

C. Description of the goals of the service

Provide Hawaii residents and court users with neutral alternative dispute resolution (ADR) processes that provide opportunities for early, party-driven, efficient and fair resolution of conflicts, and promote the use of ADR as an effective means of resolving appropriate disputes without litigation.

D. Description of the target population to be served

Hawaii residents and court users

E. Geographic coverage of service

Service areas consist of, at a minimum, the islands of Hawaii (East and West), Kauai, Lanai, Maui, Molokai and Oahu.

F. Probable funding amounts, source, and period of availability

Probable funding amounts:

FY 2006
\$474,650

FY 2007
\$474,650

Funding source: State general funds

Period of availability: FY 2006 through FY 2007, subject to the availability of funds.

2.1.2 General Requirements

A. Specific qualifications or requirements, including but not limited to licensure or accreditation

1. The applicant shall have licenses and certificates, as applicable, in accordance with federal, state and county regulations, and comply with all applicable Hawaii Administrative Rules.

2. The applicant must have demonstrated competence or qualifications to perform the required services.
3. The applicant must have an accounting system, with acceptable accounting practices and standards.
4. The proposed service must meet all required state licensing or certification standards, provide assurances of fair grievance procedures for clientele, civil rights compliance, information safeguarding practices, and provide proof of insurance coverages as applicable.
5. The applicant shall submit in a timely manner upon request by the Judiciary, any additional information needed by the Judiciary to make a decision on the applicant's proposal. The Judiciary may request an oral discussion or presentation in support of the proposal. On-site visits may be made.
6. The applicant shall comply with the Chapter 103F, HRS Cost Principles for Purchases of Health and Human Services identified in SPO-H-201 (Effective 10/01/98), which can be found on the SPO website (See Section 5, POS Application Checklist, for the website address).

B. Secondary purchaser participation

(Refer to §3-143-608, HAR)

After-the-fact secondary purchases will be allowed.

C. Multiple or alternate proposals

(Refer to §3-143-605, HAR)

☐ Allowed ☒ Unallowed

D. Single or multiple contracts to be awarded

(Refer to §3-143-206, HAR)

☒ Single ☐ Multiple ☐ Single & Multiple

E. Single or multi-term contracts to be awarded

(Refer to §3-149-302, HAR)

☒ Single term (< 2 yrs) ☐ Multi-term (> 2 yrs.)

The contract term will be FY 2006 through FY 2007, subject to the availability of funds.

F. RFP contact persons

The individuals listed below are the points of contact from the date of release of this RFP until the selection of the winning provider or providers. Written questions should be submitted to the RFP contact person(s) and received on or before the day and time specified in Section 1.4 (Procurement Timetable) of this RFP.

If you have any questions regarding the RFP Process, please call the following individual:

Judiciary Contracts and Purchasing Office
Jonathan Wong at (808) 538-5805
Fax: (808) 538-5805
Email: jonathan.h.wong@courts.state.hi.us

If you have any programmatic questions regarding the requested services, please call the following individual:

Center for Alternative Dispute Resolution
Elizabeth Kent at (808) 539-4237
Fax: (808) 539-4416
Email: elizabeth.r.kent@courts.state.hi.us

2.1.3 Scope of Work

The scope of work encompasses the following tasks and responsibilities:

A. Service Activities (Minimum and/or mandatory tasks and responsibilities)

Description of the goals of the service

1. Applicant will provide mediation and related dispute resolution services directed toward appropriate disputes that are pending in Hawaii's justice system (defined as the state courts, and state and county administrative, law enforcement, or justice system departments and agencies). Services provided to the justice system in each judicial circuit shall include:
 - a. Establishment and maintenance of an active alternative dispute resolution (ADR)

- capability in each circuit that allows for the development of new ADR programs;
- b. Establishment and maintenance of effective referral and intake services;
 - c. The presence of a sufficient number of trained and qualified mediators to provide mediation services for cases pending in the justice system;
 - d. Where JUDICIARY facilities are adequate to allow for it, the provision of on-site mediation services at no cost for small claims and residential landlord/tenant cases referred by judges, court administrators, or that are, by virtue of court rule or court procedure, required to go to mediation, and where JUDICIARY facilities do not provide adequate space for mediators on-site at court, the provision of mediation services at no cost for these cases in a timely manner at a facility off-site of the JUDICIARY facility;
 - e. The provision of mediation services at a nominal cost, or no cost for participants who cannot afford to pay, for cases referred by judges, court administrators, or that are by virtue of court rule or court procedure, required to go to mediation;
 - f. The provision of dispute resolution program design, implementation, and monitoring services for prospective justice system dispute resolution programs;
 - g. The presence of trained facilitators;
 - h. Establishment and maintenance of good working relationships with the justice system; and
 - i. An active program of outreach and education.
2. Applicant will provide mediation and related dispute resolution services directed toward appropriate disputes including those that are not pending in the justice system, including, but not limited to, disputes involving community members, neighbors, consumers and businesses, and families. Services provided to the community in each judicial circuit shall include:
- a. Establishment and maintenance of an active ADR capability in each circuit that allows for the development of new ADR programs;
 - b. Establishment and maintenance of effective referral and intake services;
 - c. The presence of a sufficient number of trained and qualified mediators to

- provide mediation services for cases that are not pending in the justice system;
 - d. The provision of mediation services at a reasonable cost, or no cost for participants who cannot afford to pay, for cases, disputes, and conflicts that are not pending in the justice system;
 - e. The presence of trained facilitators;
 - f. The provision of facilitation services at a reasonable cost for cases, disputes, and conflicts that are not pending in the justice system;
 - g. Establishment and maintenance of good working relationships in the community; and
 - h. An active program of outreach and education.
3. Applicant shall have the presence of a statewide training program that allows for statewide uniformity in the training of mediators who provide the Required Services.

Estimated number of new cases per year: 4,000 cases. Number of cases may be negotiable.

B. Management Requirements (Minimum and/or mandatory requirements)

1) Personnel

- a. The applicant shall possess and document knowledge, capacity, skills and experience in working with the targeted population.
- b. The applicant shall conduct a criminal history record check of any person, including but not limited to officers, employees, volunteers, and subcontractors, who performs work or services which necessitates close proximity to children or adolescents. A copy of the criminal history record check shall be maintained by the applicant and shall be available for review.
- c. The applicant shall have on the premises at least one person currently certified in First Aid and CPR.
- d. The staff and volunteers, if used by the applicant, shall be under the supervision of the program director or his or her designee and shall, accordingly, be trained in

client confidentiality issues and program quality assurance requirements.

- e. The applicant must have sufficient and relevant training and staff development.

2) Administrative

- a. The applicant shall establish and implement policies and procedures which clearly identify the target population for each type of service, the program content, and methods of service delivery.
- b. By the commencement of the second year of the contract, the applicant and all its subcontractors, if any, must have the ability to electronically communicate (i.e., e-mail) with the Judiciary (e.g., transmit reports and other correspondence).

3) Quality assurance and evaluation specifications

- a. The applicant shall have a quality assurance plan which identifies the mission of the organization, what services will be provided, how they are delivered, who is qualified to deliver the services, who is eligible to receive the services, and what standards are used to assess or evaluate the quality and utilization of services.
- b. Program evaluation should reflect the documentation of the achievement of the stated goals, using tools and measures consistent with the professional standards of the disciplines involved in the delivery of services.

4) Output and performance/outcome measurements

- a. Output: The applicant shall record unduplicated clients served. The unduplicated client count shall be recorded in the applicant's quarterly reports, culminating in a final unduplicated client count on the applicant's final report.
- b. Outcome: The applicant shall propose measurement tools by which effectiveness of the services may be determined, as well as utilize any provided by the Judiciary.

5) Reporting requirements for program and fiscal data

- a. The provider shall submit written quarterly and year-end reports summarizing output and outcome data, performance accomplishments, challenges, and actual expenditures. Quarterly reports are due 30 days after the end of the quarter. Final reports are due 45 days after the end of each fiscal year and/or at the end of the contract period, as applicable.

- b. Reports shall consist of a statement by the provider relating to the work accomplished during the reporting period and shall include statements of the nature of the work performed, identification of persons served by the provider during the reporting period, identification of any immediate problems encountered during the reporting period, and any recommendations deemed pertinent by the provider, as well as a statement of what activities are proposed to be accomplished during the next reporting period. In addition to the written progress reports, the provider, upon request, shall be required to meet with representatives of the Judiciary to discuss the progress of the work required.
- c. The provider shall, at the completion of the contract period, submit a final written report to the Judiciary. The report shall include documentation of the provider's overall effort towards meeting the program goals and objectives. Furthermore, the provider shall furnish any additional reports or information that the Judiciary may from time to time require or request.

6) Pricing or pricing methodology to be used

Fixed price.

7) Units of service and unit rate

Not applicable.

END OF SECTION TWO

SECTION THREE

POS PROPOSAL APPLICATION INSTRUCTIONS

SECTION THREE - PROPOSAL APPLICATION INSTRUCTIONS

General instructions for completing applications:

- *POS Proposal Applications shall be submitted to the Judiciary using the prescribed format outlined in this section.*
- *The numerical outline for the application, the titles/subtitles, and the applicant organization and RFP identification information on the top right hand corner of each page should be retained. The instructions for each section, however, may be omitted.*
- *Page numbering of the POS Proposal Application should be consecutive, beginning with page one and continuing through the complete proposal.*
- *Proposals may be submitted in a three ring binder (Optional).*
- *Tabbing of sections (Recommended).*
- *Applicants must also include a Table of Contents with the POS Proposal Application. A sample format is reflected in SECTION FIVE, **Attachment B** of this RFP.*
- *A written response is required for **each** item unless indicated otherwise. Failure to answer any of the items will impact upon an applicant's score.*
- *Applicants are encouraged to take SECTION FOUR, Proposal Evaluation, into consideration when completing the proposal.*

The POS Proposal Application comprises the following sections:

- *Proposal Application Identification Form*
- *Table of Contents*
- *Background and Summary*
- *Experience and Capability*
- *Personnel: Project Organization and Staffing*
- *Service Delivery*
- *Financial*
- *Other*

3.1 Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the proposal in such a way as to provide the Judiciary with a broad understanding of the entire proposal. Include a brief description of the applicant's organization, the goals and objectives related to the service activity, and how the proposed service is designed to meet the problem/need identified in the service specifications.

3.2. Experience and Capability

3.2.1 Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the delivery of the proposed services.

3.2.2 Experience

The applicant shall provide a listing of verifiable experience with projects or contracts for the most recent five years that are pertinent to the proposed services. Applicant shall include points of contact, addresses, email/phone numbers. The State reserves the right to contact references to verify experience.

3.2.2 Quality Assurance and Evaluation

The applicant shall describe its quality assurance and evaluation plans for the proposed services, including methodology.

3.2.3 Coordination of Services

The applicant shall demonstrate the capability to coordinate services with other agencies and resources in the community.

3.2.4 Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the proposed services. If facilities are not presently available, describe plans to secure facilities. Also describe how the facilities meet ADA requirements, as applicable, and special equipment that may be required for the services.

3.3 Personnel: Project Organization and Staffing

3.3.1 Proposed Staffing

The applicant shall describe the proposed staffing pattern, client/staff ratio and proposed caseload capacity appropriate for the viability of the services. (Refer to the personnel requirements in the Service Specifications, as applicable.)

3.3.2 Staff Qualifications

The applicant shall provide the minimum qualifications (including experience) for staff assigned to the program. (Refer to the qualifications in the Service Specifications, as applicable)

3.3.3 Supervision and Training

The applicant shall describe its ability to supervise, train and provide administrative direction relative to the delivery of the proposed services.

3.3.4 Organization Chart

The applicant shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency) Both the “Organization-wide” and “Program” organization charts shall be attached to the POS Proposal Application.

3.4 Service Delivery

The Service Delivery Section shall include a detailed discussion of the applicant’s approach to applicable service activities and management requirements from the Scope of Work section within each service specification, including a work plan of all service activities and tasks to be completed, related work assignments/responsibilities and timelines/schedules.

3.5 Financial

3.5.1 Pricing Structure

The applicant shall submit a cost proposal utilizing the pricing structure in SECTION TWO designated by the Judiciary purchasing agency. The cost proposal shall be attached to the POS Proposal Application.

3.5.1.1 Pricing Structure Based on Negotiated Unit of Service Rate

In order to determine a price (unit rate) for a unit of service, the applicant and state purchasing agency must negotiate the total costs (including agency administration) for operating a program at a specific capacity and divide by the total number of units of service that the program can produce at that capacity. The following forms, which are available on the State Procurement Office website on the “Procurement Forms and Instructions for State Agencies” page, shall be submitted with the POS Proposal Application:

Budget - SPO-H-205

Personnel - Salaries and Wages - SPO-H-206A

Personnel: Payroll Taxes, Assessments, and Fringe Benefits - SPO-H-206B

Budget Justification, Travel - Inter-Island - SPO-H-206C (If applicable)

Budget Justification, Travel - Out of State - SPO-H-206D (If applicable)

Budget Justification, Contractual Services - Administrative - SPO-H-206E (If applicable)

Budget Justification, Contractual Services - Subcontracts - SPO-H-206F (If applicable)

Budget Justification, Program Activities - SPO-H-206H (If applicable)

Budget Justification, Equipment Purchases - SPO-H-206I (If applicable)

Budget Justification, Motor Vehicle - SPO-H-206J (If applicable)

3.5.2 Other Financial Related Materials

3.5.2.1 Accounting System

In order to determine the adequacy of the applicant's accounting system as described under the administrative rules, the following documents are requested as part of the POS Proposal Application (may be attached):

The most recent financial audit.

3.6 Other

3.6.1 Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgement. If applicable, please explain.

END OF SECTION THREE

SECTION FOUR

PROPOSAL EVALUATION

SECTION FOUR - PROPOSAL EVALUATION

4.1 Introduction

The evaluation of proposals received in response to the RFP will be conducted comprehensively, fairly and impartially. Structural, quantitative scoring techniques will be utilized to maximize the objectivity of the evaluation.

4.2 Evaluation Process

The procurement officer or an evaluation committee of designated reviewers selected by the head of the applicable Judiciary purchasing agency or procurement officer shall review and evaluate proposals. When an evaluation committee is utilized, the committee will be comprised of individuals with experience in, knowledge of, and program responsibility for program service and financing.

The evaluation will be conducted in three phases as follows:

- Phase 1 - Evaluation of Proposal Requirements
- Phase 2 - Evaluation of POS Proposal Application
- Phase 3 - Recommendation for Award

4.2.1 Evaluation Categories and Threshold

Evaluation Categories

Possible Points

Requirements

Pass or Rejected

POS Proposal Application

100 Points

Background and Summary	10 points
Experience and Capability	20 points
Personnel: Project Organization and Staffing	10 points
Service Delivery	50 points
Financial	10 points

TOTAL POSSIBLE POINTS

100 Points

4.3 Evaluation Criteria

4.3.1 Phase 1 - Evaluation of Proposal Requirements

4.3.1.1 Administrative Requirements

- Application Checklist

- Registration (if not pre-registered with the State Procurement Office)
- Certifications (as applicable)

4.3.1.2 POS Proposal Application Requirements

- Proposal Application Identification Form (Form SPO-H-200)
- Table of Contents
- Background and Summary
- Experience and Capability
- Personnel: Project Organization and Staffing
- Service Delivery
- Financial (all required forms and documents)
- Program Specific Requirements (as applicable)

4.3.2 Phase 2 - Evaluation of POS Proposal Application (100 Points)

4.3.2.1 Background and Summary (10 Points)

- The applicant has demonstrated a thorough understanding of the purpose and scope of the service activity.
- The goals and objectives are in alignment with the proposed service activity.
- The applicant has described how the proposed service is designed to meet the pertinent issues and problems related to the service activity.

4.3.2.2 Experience and Capability (20 Points)

The Judiciary will evaluate the applicant's experience and capability relevant to the proposal contract which shall include:

- Demonstrated skills, abilities, knowledge of, and experience relating to the delivery of the proposed services.
- Sufficiency of quality assurance and evaluation plans for the proposed services, including methodology.
- Demonstrated capability to coordinate services with other agencies and resources in the community.
- Adequacy of facilities relative to the proposed services.

4.3.2.3 Personnel: Program Organization and Staffing (10 Points)

The Judiciary will evaluate the applicant's overall staffing approach to the service that shall include:

- That the proposed staffing pattern, client/staff ratio, and proposed caseload capacity is reasonable to insure viability of the services.
- Minimum qualifications (including experience) for staff assigned to the program.
- Demonstrated ability to supervise, train and provide administrative direction to staff relative to the delivery of the proposed services.
- Organization Chart (Approach and rationale for the structure, functions, and staffing of the proposed organization for the overall service activity and tasks).

4.3.2.4 *Service Delivery (50 Points)*

Evaluation criteria for this section will assess the applicant's approach to the service activities and management requirements outlined in the POS Proposal Application. The evaluation criteria may also include an assessment of the logic of the work plan for the major service activities and tasks to be completed, including clarity in work assignments and responsibilities, and the realism of the timelines and schedules, as applicable.

4.3.2.5 *Financial (10 Points)*

Pricing structure based on negotiated unit of service:

- Competitiveness and reasonableness of unit of service, as applicable.

4.3.3 Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

END OF SECTION FOUR

SECTION FIVE

ATTACHMENTS

ATTACHMENT A - Proposal Application Checklist

**ATTACHMENT B - Proposal Application Identification Form, Application,
and Sample Table of Contents**

ATTACHMENT C - Contract General Conditions